

**EXHIBIT 5**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

_____	)	
SECURITIES AND EXCHANGE	)	
COMMISSION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 1:18-cv-01262
	)	
TODD ELLIOTT HITT, KIDDAR	)	
CAPITAL LLC, and KIDDAR GROUP	)	
HOLDINGS, INC.,	)	
	)	
Defendants,	)	
	)	
and	)	
	)	
KIDDAR HERNDON STATION LLC,	)	
KIDDAR HOMEBUILDING FUND I,	)	
LLC, MELBOURNE RETREAT LLC,	)	
KIDDAR MASS AVE LLC, KIDDAR	)	
RIDGEVIEW LLC, ESA EMERSON	)	
LLC, ESA HIGHWOOD LLC, and	)	
KIDDAR AQ LLC a/k/a KIDDAR	)	
AQUICORE LLC,	)	
	)	
Relief Defendants.	)	
_____	)	

**ORDER APPROVING SECOND INTERIM APPLICATION OF  
PROTIVITI FOR ALLOWANCE OF COMPENSATION AND  
EXPENSE REIMBURSEMENT AS FINANCIAL ADVISOR TO THE RECEIVER**

This matter came before the Court upon the Second Interim Application of Protiviti for Allowance of Compensation and Expense Reimbursement Incurred as Financial Advisor to the Receiver (the “**Application**”) filed by Protiviti (“**Protiviti**”), counsel for Bruce H. Matson (the “**Receiver**”) of the estates of Kiddar Herndon Station LLC, Kiddar Capital LLC, Kiddar Group

Holdings, Inc., Kiddar Homebuilding Fund I LLC, Melbourne Retreat LLC, Kiddar Mass Ave LLC, Kiddar Ridgeview LLC, ESA Emerson LLC, ESA Highwood LLC, and Kiddar AQ LLC also known as Kiddar Aquicore LLC (the “**Receivership Defendants**”). The Court, having reviewed the Application and having heard the statements of counsel in support of the relief requested therein at a hearing on the Application (the “**Hearing**”) and the Court finding that: (i) jurisdiction is proper pursuant to 28 U.S.C. § 959, (ii) notice of the Application and Hearing was proper and sufficient; (iii) there are no objections to the Application; and (iv) payment of the requested compensation and reimbursement of expenses as allowed herein is reasonable; it is hereby

ORDERED as follows:

1. The Application is approved.
2. Capitalized terms not otherwise defined herein shall have the meanings given to them in the Application.
3. Compensation in the amount of \$100,515.00 for professional services rendered to the Receiver and reimbursement of \$252.50 for out-of-pocket expenses incurred for the Receiver’s benefit from and including January 1, 2019, through and including March 31, 2019, is hereby allowed.
4. The Receiver is authorized and directed to pay eighty percent (80%) of professional fees (\$80,412.00) and expenses (\$202.00) awarded herein.
5. Upon entry, the Clerk shall serve a copy of this Order on those parties on the attached Service List.

IT IS SO ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 2019

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UNITED STATES DISTRICT JUDGE

**SERVICE LIST**

Bruce H. Matson  
LeClairRyan PLLC  
919 East Main Street, 24<sup>th</sup> Floor  
Richmond, VA 23219  
*Receiver*

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Christopher L. Perkins  
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*Counsel to Receiver*

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1051 East Cary Street, Suite 602  
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*Financial Advisor to Receiver*